

## South Korea

Threats to press freedom in South Korea under President Park Geun-hye continued in 2014. At the center of the concerns was the increased reliance by the Park administration on the National Security Law, which had a chilling effect on working journalists.

### Legal Environment

Freedom of the press is guaranteed by the constitution and generally respected in practice, though Article 7 of the National Security Law prescribes imprisonment for praising or expressing sympathy for North Korea. In December 2014, Shim Eun-mi, a Korean-American author and talk show host, faced multiple rounds of police questioning regarding allegations that she had made comments sympathetic toward North Korea during her speaking tours in South Korea. The National Security Law was also used as the main basis for a 2014 Constitutional Court ruling ordering the dissolution of the small opposition Unified Progressive Party, which was accused by the government of supporting North Korea. In 2012, Park Jung-geun, a photographer and blogger, was arrested on charges of violating the National Security Law. Park had reposted messages from the North Korean government's Twitter account, an action which he argued was intended to lampoon the North Korean regime. Park's 2012 guilty verdict was reversed on appeal in 2013. The selective enforcement of the National Security Law is a concern for working journalists.

Defamation is a criminal offense, with sentences of up to seven years in prison, and charges are occasionally threatened or brought against reporters or commentators who criticize the government. In October 2014, prosecutors indicted Tatsuya Kato, then Seoul bureau chief of the Japanese newspaper *Sankei Shimbun*, on a charge of defaming President Park by citing rumors about the president's activities on the day of the Sewol ferry sinking that killed about 300 people. In November, President Park's aides filed a criminal defamation complaint against six reporters and staff from *Segye Ilbo* after the newspaper reported on a leaked document from the president's office claiming that the aides regularly briefed a nonofficial governmental person.

The Act on Disclosure of Information by Public Agencies protects the right of citizens to access public information, which can be obtained online or in person. According to the act, government agencies must respond to requests within 15 days and are required to provide all requested public information, except when protected for reasons of national security. After taking office in early 2013, President Park announced an initiative called Government 3.0, which is aimed at transforming the country's system of information disclosure. South Korea submitted its first action plan in 2012 to the Open Government Partnership (OGP), an international initiative under which governments commit to increasing transparency and accountability to their citizens. In 2014, the OGP issued a letter of caution to the Korean government for its failure to consult civil society when designing measures to provide citizens with access to information. A current obstruction to journalistic access is the country's press club system, which allows only members to obtain certain interviews and deep background briefings with senior government officials.

### Political Environment

In November 2014, South Korea's Supreme Court ruled legitimate the layoffs of three YTN journalists who led strikes against the promotion of former president Lee Myung-bak's close aide to serve as head of the

cable news network in 2008. This latest and final ruling for the YTN journalists reversed the 2009 ruling that the layoffs were unfair. Media advocacy groups raised concerns that the 2014 ruling bodes ill for cases involving other journalists who were dismissed during the Lee administration.

The government's online content censorship has invited substantial criticism from national and international freedom of expression organizations. In 2014, the Korea Communications Standards Commission (KCSC), an official body responsible for monitoring online content, requested that a total of 132,884 cases be rectified, a 27.3 percent increase over 2013. Specifically, 24,581 webpages were deleted, another 97,095 were blocked, and 10,031 were cancelled at the request of the KCSC. This censorship not only covers pornography and gambling, which are illegal in South Korea, but also content deemed threatening to national security by "praising North Korea and denouncing the USA and the [South Korean] government."

South Korean online media are especially vigorous and innovative. Aside from pro-North Korean content, the internet is generally unrestricted, though the government requires all website operators to indicate whether their sites might be harmful to youth. In 2014, media freedom groups expressed concerns over the adoption of a far-reaching interpretation of South Korea's copyright law, which allows the Korean Copyright Commission (KCC) to block websites. Under the Korean Copyright Act, only courts, not administrative bodies like the KCC, can order the blockage of sites, raising concerns about the legality of the law and possible censorship. More generally, some self-censorship of media reports and online content does occur.

Cases of physical violence against or harassment of journalists are rare, and no cases were reported in 2014.

## **Economic Environment**

South Korea has a vibrant and diverse media sector, with numerous cable, terrestrial, and satellite television stations and more than 100 daily newspapers in Korean and English. South Korea boasts one of the world's highest internet penetration rates, at nearly 85 percent, and enjoys high-speed broadband. A significant number of young people obtain news exclusively from online sources.

Many newspapers are controlled by large industrial conglomerates and depend on major corporations for their advertising revenue. The television and radio sectors feature both public and private outlets. Five new cable television channels—four general-programming stations and one all-news channel—were launched in 2011 after the government revised a set of media laws to allow investment by conglomerates and newspaper companies in the broadcasting sector. These new channels have influenced the market dominance of KBS, MBC, and Seoul Broadcasting System (SBS), all of which had previously held exclusive rights to offer general programming, including news. Foreign media sources are widely accessible, with the exception of news from North Korea, which remains severely restricted.